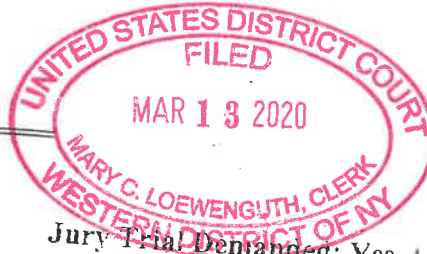


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

Latesha Y. Jordan

Name(s) of Plaintiff or Plaintiffs



Jury Trial Demanded: Yes ☒ No ☐

AMENDED
DISCRIMINATION COMPLAINT
-CV-

Greater Buffalo United
Accountable Healthcare
Network - Toni Vazquez
Dr. Raul Vazquez, Dr. Horacio - Marian Saleh, Lighthouse
A. Capote, Ronald Williams
Theresa C. Bowman - Davis, Dr. Rafael E. Roman **Partners Inc.**

Name of Defendant or Defendants

You should attach a copy of your **original** Equal Employment Opportunity Commission (EEOC) complaint, a copy of the Equal Employment Opportunity Commission decision, AND a copy of the "Right to Sue" letter you received from the EEOC to this complaint. Failure to do so may delay your case.

Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.

This action is brought for discrimination in employment pursuant to (check only those that apply):

☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub.L.No. 102-166) (race, color, gender, religion, national origin).

NOTE: In order to bring suit in federal district court under Title VII, you **must first obtain a right to sue letter** from the Equal Employment Opportunity Commission.

☐ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621-634 (amended in 1984, 1990, and by the Age Discrimination in Employment Amendments of 1986, Pub.L.No. 99-592, the Civil Rights Act of 1991, Pub.L.No. 102-166).

NOTE: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you **must first file charges** with the Equal Employment Opportunity Commission.

☒ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112-12117 (amended by the Civil Rights Act of 1991, Pub.L.No. 102-166).

NOTE: In order to bring suit in federal district court under the Americans with Disabilities Act, you **must first obtain a right to sue letter** from the Equal Employment Opportunity Commission.

JURISDICTION is specifically conferred upon this United States District Court by the aforementioned statutes, as well as 28 U.S.C. §§ 1331, 1343. Jurisdiction may also be appropriate under 42 U.S.C. §§ 1981, 1983 and 1985(3), as amended by the Civil Rights Act of 1991, Pub.L.No. 102-166, and any related claims under New York law.

In addition to the federal claims indicated above, you may wish to include New York State claims, pursuant to 28 U.S.C. § 1367(a).

✓ New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297 (age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status).

PARTIES

1. My address is: 79 Hartwell Rd. Buffalo N.Y.
14214

My telephone number is: 714 984-4999

2. The name of the employer(s), labor organization, employment agency, apprenticeship committee, state or local government agency who I believe discriminated against me is/are as follows:

Name: Greater Buffalo United Account-
able Healthcare Network

Number of employees: over 150

Address: 564 Niagara St. Bldg # 2
Buffalo, N.Y. 14201

3. (If different than the above), the name and/or the address of the defendant with whom I sought employment, was employed by, received my paycheck from or whom I believed also controlled the terms and conditions under which I were paid or worked. (For example, you worked for a subsidiary of a larger company and that larger company set personnel policies and issued you your paycheck).

Name: Same as above

Address: _____

CLAIMS

4. I was first employed by the defendant on (date): 8-19-2017

5. As nearly as possible, the date when the first alleged discriminatory act occurred is: 8-2017

6. As nearly as possible, the date(s) when subsequent acts of discrimination occurred (if any did): 8-2017, 2-2018, 6-2018, 2-2019
5-2-2019, 5-30-19 to the present 2-14-20
to this date 3-12-20 ongoing

7. I believe that the defendant(s)

- a. ☒ Are still committing these acts against me.
 b. ☐ Are not still committing these acts against me.

(Complete this next item **only** if you checked "b" above) The last discriminatory act against me occurred on (date) _____

8. (Complete this section **only** if you filed a complaint with the New York State Division of Human Rights)

The date when I filed a complaint with the New York State Division of Human Rights is _____

_____ (estimate the date, if necessary)

I filed that complaint in (identify the city and state): _____

The Complaint Number was: _____

9. The New York State Human Rights Commission did _____ /did not _____ issue a decision. (NOTE: If it **did** issue a decision, you **must attach** one copy of the decision to **each** copy of the complaint; failure to do so will delay the initiation of your case.)

10. The date (if necessary, estimate the date as accurately as possible) I filed charges with the Equal Employment Opportunity Commission (EEOC) regarding defendant's alleged discriminatory conduct is: _____

11. The Equal Employment Opportunity Commission did _____ /did not _____ issue a decision. (NOTE: If it **did** issue a decision, you **must attach** one copy of the decision to **each** copy of the complaint; failure to do so will delay the initiation of your case.)

①. The Equal Employment Opportunity Commission issued the attached Notice of Right to Sue letter which I received on: 12-2019. (NOTE: If it

did issue a Right to Sue letter, you **must attach** one copy of the decision to each copy of the complaint; failure to do so will delay the initiation of your case.)

13. I am complaining in this action of the following types of actions by the defendants:

- a. ☐ Failure to provide me with reasonable accommodations to the application process
- b. ☐ Failure to employ me
- c. ☒ Termination of my employment
- d. ☐ Failure to promote me
- e. ☒ Failure to provide me with reasonable accommodations so I can perform the essential functions of my job
- f. ☒ Harassment on the basis of my sex
- g. ☒ Harassment on the basis of unequal terms and conditions of my employment
- h. ☒ Retaliation because I complained about discrimination or harassment directed toward me
- i. ☒ Retaliation because I complained about discrimination or harassment directed toward others
- j. ☐ Other actions (please describe) _____

14. Defendant's conduct is discriminatory with respect to which of the following (check all that apply):

- a. ☐ Race
- b. ☐ Color
- c. ☒ Sex
- d. ☐ Religion
- e. ☐ National Origin
- f. ☒ Sexual Harassment
- g. ☐ Age _____ Date of birth _____
- h. ☒ Disability
Are you incorrectly perceived as being disabled by your employer?
____ yes ____ no

15. I believe that I was ☒ ~~was~~ not ☐ intentionally discriminated against by the defendant(s).

16. I believe that the defendant(s) is/are ☒ is not/are not _____ still committing these acts against me. (If you answer is that the acts are not still being committed, state when: _____ and why the defendant(s) stopped committing these acts against you: _____)

17. A copy of the charge to the Equal Employment Opportunity Commission is attached to this complaint and is submitted as a brief statement of the facts of my claim. (NOTE: You must attach a copy of the original complaint you filed with the Equal Employment Opportunity Commission and a copy of the Equal Employment Opportunity Commission affidavit to this complaint; failure to do so will delay initiation of your case.)

18. The Equal Employment Opportunity Commission (check one):

☐ has not issued a Right to sue letter

☒ has issued a Right to sue letter, which I received on 12-2019

19. State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

① 8-19-17 During orientation at Mt Olive Baptist Church located at 701 E Delavan Ave. Buffalo N.Y. The computer given to me didn't work for the majority of orientation. It was unnecessary for learning the documentation necessary for the job. I learned the documentation on the GBUAHN YouTube channel. Dr. Anna Sterns was my teacher and in charge of orientation and who I reported to. I told her about the problem I was having with the computer at least seven times. But the problem remained unresolved. Dr. Sterns called me a sloppy person and whispered in my ear I was a loser. FOR LITIGANTS ALLEGING AGE DISCRIMINATION I told Toni Vazquez and it worsened.

20. Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct ☒ 60 days or more have elapsed _____ less than 60 days have elapsed

FOR LITIGANTS ALLEGING AN AMERICANS WITH DISABILITIES ACT CLAIM

21. I first disclosed my disability to my employer (or my employer first became aware of my disability on late 2017)

12

22. The date on which I first asked my employer for reasonable accommodation of my disability is Around 10-2017
23. The reasonable accommodations for my disability (if any) that my employer provided to me are: None
24. The reasonable accommodation provided to me by my employer were _____/were not _____ effective.

WHEREFORE, I respectfully request this Court to grant me such relief as may be appropriate, including injunctive orders, damages, costs and attorney's fees.

Dated: 2-14-20

Lataise Jordan

Plaintiff's Signature

Case File: 20CV67

Dr. Horacio Capote

1. Dr. Horacio Capote is a respected psychiatrist that holds many positions. One position he holds is Medical Director of the Neuropsychiatry at Dent. Another is Medical Director of addiction services at Brylin Hospital, principal investigator in numerous trials on Alzheimer's disease, vagus nerve stimulation , transcranial magnetic stimulation , bipolar disorder and addictive disorders . He held meetings once a week to assist PHN's with difficult members. This occurred at the 564 Niagara St. location.
2. Around 1/2019, During this meeting he frequently looked at me, and described my daily activities and habits. For example, I drink alcohol He looked at me and scientifically described the effects of alcohol specific to me. He also said cigarettes had a calming effect and that's why I smoked after a very stressful situation. He also said what he was doing would usually take twenty years or more. Shortly after this meeting Dr. Capote began displaying the same behaviors as Dr. Vazquez avoiding me by ways of making eye contact and then quickly breaking it and no longer speaking . This happened at the 564 Niagara Street location.
3. After termination 5\30\2019. Most of the harassment consist of attacking my daughter by infesting her with bed bugs and negatively interfering with her programs . Hacking all my IT devices, my phone , computer , internet , surveillance cameras , SS # , my vehicle , constant monitoring . Interfering and blocking/stopping unemployment and workers compensation. Taking away my support system by involving my family members and friends. Constant reminders of my ex. Cornell Johnson, in reference to not date him. Cars would follow me with his initials or name on the licensed plate. People who resembled him would be in the parking lot at my chiropractic appointments at 564 Niagara St. My IT devices would play songs I never heard with lyrics that said He was going to come to my appointment. Songs referring to him having a newborn and being married. Then an aid would come and play out the scenario. This type of thing happened with several aids. This accured at 79 Hartwell Rd. Buffalo NY 14216.
4. I've used Western NY independent living since 2016 and Aspire of western NY since 2010 both to the present for my special need's daughter Tendra Manuel in home, community and respite services. I noticed around the beginning of 2018 the aids behavior drastically changed for the worst. Because of their bizarre and at times threatening behaviors I had to change agencies twice {Maxim Healthcare services} located on 500 Seneca St. Buffalo NY 14204 went through about 10-15 aids. And All Metro Health Care located at 170 Franklin St. #201 Buffalo NY 14201. I went through at least 10 aids with both agencies . Because of the previously mention behaviors of the aids. From 6/25/19 to 2/13/20 I had to use two agencies and go through at least 20 aids within this short time period
5. Between March 2019 - June 2019 Tendra was coming home with bug bites all over her body. I contacted both programs several times she attends Bryton Park 5 days a week . Aspire of western NY a few days each month and the bus company Ceder bus to ask if they were having a bed bug problem. They all said they were not having a bed bug problem In the past Aspire has notified me of a potential bug problem After observing my daughter I noticed she would come home with bites on days she had only gone to Bryton Park . Light house management sent

Case File: 20CV67

Ehrlic Pest control to the house to exterminate. When the exterminator came she had to use a dog because of the low number of bugs they were not able to be seen by the professionals. They treated the apartment several times. At this time my daughters aid Cynthia , my other daughter Latesia Manuel or myself was bitten one time. We were all in the house within proximity of her Tendra was the only person bitten. Tendra was purposely infected with the bugs.

6. In 10/2019 Bryton Park decided to limit my daughter and I to an isolated area, when I came to check on her. This decision was made after I saw several things wrong with the care of my daughter while I was at the facility and made a complaint. I've contacted Mrs. Hines director of the OPWDD and other upper level staff. I've also contacted Person Centered Services Alisha Fellows, Collene Gough { vice president} . I contacted the Erie county DA, The State, Justice Center for the protection of people with special needs and many more .
7. During this time period 2018 to the present I noticed my daughter Tendra Manuel behaviors were different around 12/2019 her body went limp and she was not responding. For about five minutes. Her aid Felicia Sutton and I took her to Kenmore mercy emergency department. The gave her four injections to sedate her in order to run test. But she was resistant to the medication and testing was not done. I took her to Kenmore mercy on 2/6/20 Because she hit herself in the head, ear and banged her wrist and arms with such force I thought she has a concussion and broken bone. After being there for about 4 hours they made it clear they were not going to see her, so we left. The aid that saw this name is Kamia Dixon. On 3/5/20 Tendra came home from Program and she was sluggish and stumbly like she was on medication or something else is going on. I took her to Well Now Urgent Care. But no test was able to be done again.
8. Around 2/17/20 I noticed my daughter behavior towards taking a bath changed. She resists by falling to the floor fighting and maneuvering in a way that makes it impossible to give her a bath. At times she has precise movements and tactics when doing so. I've never seen her like this before. Prior to this bath time was one of her favorite things to do for at least 15 years. Now she becomes very anxious, hostile and starts hitting her head, ears and chest. I must bath her in the hall.
9. After being terminate ,d from GBUAHN I could not get medical treatment for the symptoms of migraines, depression or legal representation. I called several neurologists for my migraines, but no one would take me as a patient. The same thing with workers compensation Dr. and legal representation.
10. Because of Dr. Capote background as principle investigator of trials, vagus nerve stimulation : A medical treatment that involves electrical impulses to the vagal nerve . The vagal nerve controls the Autonomic nervice system. Which controls the parasympathetic and sympathetic system. These nervous systems control mood, movements, urine and bowl function and state of consciousness He also is involved in. transcranial magnetic stimulation .The things he said and

③

Dr.

Horacio Capote

Case File: 20CV67

did during my employment { listed in #2} . The problems I have with my daughters medical care and programs in paragraphs # 6 -7 My daughters behaviors .What went on after my termination . I want to get my daughter a medical check up that can detect if Vagul nerve Stimulaction and Transcrainal magnetic Stimulaction is controlling her behaviors.

Case File: 20CV67

Toni Vazquez

1. 8-19-17 – During my work orientation at Mt. Olive Baptist Church at 701 Delevan Ave in Buffalo, NY, the computer given to me didn't work for most of the orientation. It was necessary for learning the documentation for the job. I learned the documentation on the GBUAHN YouTube channel. Dr. Anna Sterns was my teacher, the person I directly reported to, and in charge of orientation. I told her about the problem I was having with the computer at least seven times but the problem remained unresolved. Dr. Sterns called me a sloppy person and whispered in my ear I was a loser. I told Toni Vazquez and it worsened.
2. On or around January 2018 I was assigned a new manager, Joycelyn Rodrigues. Right away, she began talking loudly and disrespectfully to me in front of my coworkers, micromanaging me and writing false write-ups. I reported this to Toni Vazquez, but the treatment continued. This happened at the 564 Niagara Street location.
3. On or around April 2018, my manager Joycelyn Rodriguez said upper management wanted to talk to me upstairs. I asked her why and she said she didn't know. When I arrived, Mr. Ronald Williams (the Director of Human Services) and Yolona Chichoki was present. I was given a false write-up that my manager wrote, and Mr. Williams and Mrs. Chichoki were there to enforce it. I was sent home for two days without pay. I told Mrs. Vazquez about this but nothing changed. This occurred at the 564 Niagara Street location.
4. On or around June 2018, upon arriving to work I was sent home because I had on a blue crew neck top, which was commonly worn by most employees. I told Mrs. Toni Vazquez about this as well. The harassment continued and worsened. This occurred at the 564 Niagara Street location.
5. On or around December 2019, Jacquelyn Rosado was my manager. During a meeting she welcomed me to the HEARP team. I asked when training would start as well as what the pay raise was. Mrs. Rosado replied she would let me know. A couple of days later she said I will not be trained nor get a raise. She then became unapproachable and very reluctant to assist me with anything. I told Mrs. Vazquez about this as well and asked her about the HARP team and she started giving vague, stalling answers. This occurred at the 564 Niagara Street location.
6. Around 2019 Mrs. Toni Vazquez changed the dress code at a meeting. For all Personal Health Navigators to tuck shirts in. Because of the dress code change co-workers began saying things like hey baby that sure looks good. Can I touch it. ect. I told Mrs. Toni Vazquez about what was going on because the comments made me very uncomfortable. If I could keep my shirt out. She said no and if its not tucked in you will be sent home. The harassment continued.
7. On or around May 2, 2019 I gave Mr. Ronald Williams a \$15 money order for a replacement key fob. He later said I gave him a \$10 money order and presented a new \$10 money order. I told him I gave him a \$15 money order that was folded inside my purse for a few days and because of that it was wrinkled and not brand new. I reported this to Mrs. Toni Vazquez as well. This happened at the 564 Niagara Street location.
8. On May 11, 2019 I was out of work on doctors' orders due to the hostile work environment. I was getting constant headaches, feeling down and losing weight. The HR department and Ronald Williams said they would not accept my doctor's note. They then called security to escort me out the building. I informed Toni Vazquez about this as well. The harassment continued.
9. Toni Vazquez stopped talking to me period.

Case File: 20CV67

Raul Vazquez

1. Around 10/2018 Dr. Vazquez called a meeting looked at me and said some people would not be getting a pay raise. I have never received a raise during employment at GBUAHN.
2. Around late 2018 I was leaving to go to work in the morning and Dr. Raul Vazquez was in his car at the side of my house. I was behind him the whole time on my way to work. This happened when I was commuting to the 564 Niagara Street location.
3. During my employment at GBUAHN most of the time he would avoid me and when we were in proximity he would not speak and avoid eye contact.
4. In May 2019 the head of the HR department Ronald Williams along with HR staff said they would not accept my Dr. order for my medical leave. I informed Toni Vazquez and Dr. Raul Vazquez via E-mail. This occurred at 564 Niagara St. Buffalo NY location.

①

Case File - 20V67

Lighthouse Management Partners Inc.
2940 Delaware Ave. Buffalo N.Y. 14217

In 2018 I was served an eviction notice. The notice was served for no reason, no rent was paid and we had no other problems. ~~The~~ It resulted in my rent being raised and I was forced to sign a lease.

In 2019 I noticed someone was coming into my apartment, stealing and moving things around. I called the police several times. But I was given a hard time making a report. One officer told me it was not a crime and I should just move. He also said if I called back I would be arrested.

Lighthouse and I are the only people who has keys. I had to call the police again, for someone entering my apartment when I was talking to the officers about the incident. My neighbor who lives next door came outside and was upset. She said "why did you call them he left you something" then she left.

Mr. Francis Parisi lived downstairs. He works for LMF maintenance. They do the maintenance for the units managed by Lighthouse. They both share one office. They gave the keys to my apartment to people to enter my apartment without my permission.

Case File - ZDV67

Because of this I can't protect my special needs daughter, nor do I have protections for myself.

I suffer with migraines, anxiety, depression, muscle tightness and spasms, Fatigue

I have never had any of these health issues prior to this

①

Mariam Saleh
Case File - 20V67

My Dr. Dr. Pamula Reed referred ^{counseling} ~~counsel~~ for my depression. During a coun session with Ms. Saleh I told her I wish I could go somewhere to get away from this. She said she knew of a place I could go and she would set it up. Later that day Horizons called and ask how I was doing. If they could come out to talk to me. I said Im ok & tomorrow would be better. Horizons sa ok see you tomorrow. Later the same day Horizons came to my house. It was three females at my door. I told them I made appointment for tomorrow and I was ok. They asked if they could come in and ask a few questions. When they got in my apartment the three women along with two police officer attacked me forced me into an ambulance and I was taken to CPAP. CPAP handles crises at ECME. I was not having a crises. This experience was traumatic to me. Im frightened to get help with my depression. The counselor name is Ms. Mariam Saleh. After I was released from ECME - CPAP. I requested the notes she wrote.

(2)

Marian Saleh
Case File 20V07

I saw Ms. Saleh was putting false information in the notes and she also gave a wrong diagnosis. What she wrote caused the problem.

Mr. Mariam Saleh is a councillor at the Community Health Center, located at 34 Benwood Ave. Buffalo N.Y. 14214

Case File: 20CV67

Ronald Williams

1. Ronald Williams was the Director of Human Resources. Throughout 2018 and 2019, Mr. Williams gave me a hard time, mostly about dress code. However, he complained even though I was in dress code. He then began constantly changing the dress code and I would comply with the changes, but he would still complain. I didn't see this happening to anyone else. I asked him why he was giving me such a hard time. Mr. Williams said he was enforcing what's being sent to him from his boss, Mrs. Toni Vazquez. This happened at 564 Niagara Street in both the old and new building.
2. Around 4-2018, Mr. Williams falsely wrote me up for not completing a work assignment even though I had completed the assignment and had verification of its completion on my work computer. This occurred at the 564 Niagara Street location.
3. Around 5-2-2019, I gave Mr. Williams a \$15 money order for a replacement work fob. Later that day Mr. Williams said I gave him a \$10 money order. I pointed out to Mr. Williams that the \$15 money order I gave him was folded in half and a little worn from being in my purse; the \$10 money order he said I gave him was crisp and new without any folds or wrinkles. This happened at 564 Niagara Street.
4. Sometime during 5-2019, after giving my medical leave documentation to Mr. Williams and other HR staff, they said they would not follow my doctor's orders. This occurred at the 564 Niagara Street location.
5. On 5-30-2019, Mr. Williams handed me a letter of termination that did not provide a reason for my termination. At this time, I was still out on doctor-ordered medical leave. This happened at the 564 Niagara Street location.
6. Around late 2018 /2019 I told Mr. Williams about the comments some of my co-workers were making because of the dress code change to tuck our shirts in. They would say things like hey baby that sure looks good. Can I touch it. It giggles. Damn girl etc....Because of this I asked him if I could keep my shirt out because it covered my bottom, He said no you must follow the orders. I told him several of my female coworkers kept their shirt out and no one said anything to them. He just looked at me and said you must follow the rules, or you'll be sent home without pay.

Theresa C. Bowmen-Davis

1. During my employment around 7/2018, my coworkers were making jokes, asking questions and commenting about a private conversation Cornell Johnson and I had the previous night. He and I were the only people at my house. As I mentioned in the section related to Dr. Raul Vazquez (number 2), he was inspecting my house to have it hacked and install monitors.
2. They hacked my IT devices and were able to hear my phone conversations. Because they hacked my IT devices, which consist of my Nest surveillance camera, cell phone, Google Home, home computer, tv's and vehicle They were able to watch and hear what went on in my apartment , on my phone and in my vehicle.
3. I had phone conversations with my niece Tiffany Adams about Theresa Bowmen-Davis, who at one time was a close friend, and Cornell Johnson sleeping together. Toni Vazquez used this information and solicited and/or employed Theresa Bowmen-Davis into the harassment.
4. Around March 2019, both Toni Vasquez and Theresa Bowmen-Davis solicited someone who was in close contact with my special needs daughter to infect her with bed bugs. However, after closely watching my daughter she had the most bed bug bites after coming home from People's Inc Bryton Park day program.
5. My special needs daughter who can not talk or see and has the mindset of a toddler. She was scratching and so uncomfortable, suffering during this time.
6. My daughter Tendra Manuel was the only person infested with the bed bugs. I called both programs and the bus she rides several times asking if they had a bed bug problem . Each time they all said no. They also said no other clients of staff has a problem and none were reported. At my apartment Tendras aid who cared for her five days a week , my other daughter or myself were not bitten . Ehrlich Pest control had to use a dog because the my apartment had such a small amount of bugs and the dog detected them only in the areas Tendra was in . My house was treated for a few weeks but my daughter continued coming home with bites .
7. Around the end of 2019 my daughter and I was at her Dr. appointment. Dr. Mark Zambron showed me a document from 2017 on the computer that gave Theresa Bowmen Davis permission to make medical decisions for my daughter. I have never given her permission do handle anything for my daughter. I wrote a letter saying no one other than my daughter Latesia Manuel and myself has permission to make any decisions for Tendra.
8. I also had a letter saying Tendra was put on birth control in 2017 because of a heavy menstrual flow. She has never had a heavy menstrual flow that required medication nor did I ever give permission. Her menstrual flow is now irregular and very light which is a side effect of some birth control.
9. I've used Western NY independent living since 2016 and Aspire of western NY since 2010 both to the present for my special need's daughter Tendra Manuel in home, community and respite services. I noticed around the beginning of 2018 the aids behavior drastically changed for the worst. Because of their bizarre and at times threatening behaviors I had to change agencies twice {Maxim Healthcare services} located on 500 Seneca St. Buffalo NY 14204 went through about 10-15 aids. And All Metro Health Care located at 170 Franklin St. #201 Buffalo NY 14201. I went through at least 10 aids with both agencies. Because of the previously mention behaviors of the aids. From 6/25/19 to 2/13/20 I had to use two agencies and go through at least 20 aids within this short time period.

EEOC Form 161 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Latessa Y. Jordan**
79 Hartwell Rd.
Buffalo, NY 14216

From: **Buffalo Local Office**
300 Pearl Street
Suite 450
Buffalo, NY 14202



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

525-2019-01075

Nelida Sanchez,
Investigator

(716) 431-5017

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- ☒ The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- ☐ Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- ☐ The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- ☐ Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge
- ☐ The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- ☐ The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- ☐ Other (briefly state)

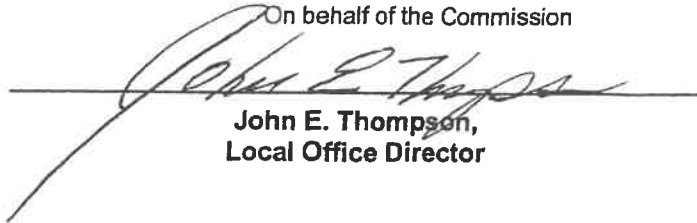
- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission


John E. Thompson,
Local Office Director

OCT 24 2019

(Date Mailed)

Enclosures(s)

Raul Vasquez
Doctor
GREATER BUFFALO UNITED ACCOUNTABLE
HEALTHCARE NETWORK
564 Niagara St.
Buffalo, NY 14201



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Buffalo Local Office

300 Pearl St., Suite 450
Buffalo, NY 14202
(716) 431-5007
TTY (716) 551-5923
FAX (716) 551-4387

Latessa Y. Jordan
79 Hartwell Rd.
Buffalo, NY 14216

Re: EEOC Charge No.: 525-2019-01075
Latessa Y. Jordan v. Greater Buffalo United Accountable Healthcare Network

Dear Ms. Jordan:

The Equal Employment Opportunity Commission (hereinafter referred to as the "Commission"), has reviewed the above-referenced charge according to our charge prioritization procedures. These procedures, which are based on a reallocation of the Commission's staff resources, apply to all open charges in our inventory and call for us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce.

In accordance with these procedures, we have evaluated your charge based upon the information and evidence submitted. The evidence showed that the EEOC has no jurisdiction to further investigate your allegations because you have not stated a valid claim under the laws that we enforce.

You alleged that you were subjected to a hostile work environment, and that complained to Respondent. You also alleged that Respondent failed to take effective action to stop the harassment; and in retaliation, you were terminated.

Please be aware that EEOC protects individuals from discrimination based on race, color, sex, age over 40, national origin, religion, disability, genetic information, and retaliation related to one of these bases. I completed a telephone interview with you on September 11, 2019 to identify any protected basis for discrimination under the statutes that we enforce. Although it seems you endured hostility at your workplace, you failed to identify any protected basis for discrimination under the statutes that we enforce. Therefore, we are unable to conduct a full investigation regarding your allegations.

Based upon an analysis of the information submitted to us, the Commission is unable to conclude that the information establishes a violation of Federal law on the part of Respondent. This does not certify that Respondent is in compliance with the statutes. No finding is made as to any other issue that might be construed as having been raised by this charge.

The Commission's processing of this charge has been concluded. Included with this letter is your Notice of Dismissal and Right to Sue. Following this dismissal, you may only pursue this matter by filing suit against the Respondent named in the charge within 90 days of receipt of said notice. Otherwise, your right to sue will be lost. Please contact Federal Investigator Nelly Sanchez at (716) 431-5017 if you have any questions.

Sincerely,

Date:

OCT 24 2019

 for
John E. Thompson, Jr., Director
Buffalo Local Office

Enclosure with EEOC
Form 161 (11/16)

INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

(This information relates to filing suit in Federal or State court under Federal law. If you also plan to sue claiming violations of State law, please be aware that time limits and other provisions of State law may be shorter or more limited than those described below.)

PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act (GINA), or the Age Discrimination in Employment Act (ADEA):

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge within 90 days of the date you receive this Notice. Therefore, you should keep a record of this date. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed within 90 days of the date this Notice was mailed to you (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Courts often require that a copy of your charge must be attached to the complaint you file in court. If so, you should remove your birth date from the charge. Some courts will not accept your complaint where the charge includes a date of birth. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred more than 2 years (3 years) before you file suit may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit before 7/1/10 -- not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, please make your review request within 6 months of this Notice. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.